

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

HON. PATRICK J. DUGGAN  
CIVIL NO. 09-11290

TRUSTEES OF THE BRICKLAYERS PENSION TRUST FUND-  
METROPOLITAN AREA, ET.AL,

Plaintiff(s),

-v-

EVERLAST MASONRY, INC./DRKK DEVELOPMENT, LLC,

Defendant(s).

\_\_\_\_\_ /

ORDER TO PROVIDE STATUS

The above case was filed on April 7, 2009. All proceedings against the defendants have been stayed because the Court was informed on April 8, 2010, that the defendants had filed bankruptcy.

Past experience has shown that in many of these cases, plaintiffs' counsel agrees that the case may be dismissed, without prejudice, because a claim has been filed in the bankruptcy estate, the matter has been resolved, or no useful purpose would be served by continuing the case. Please advise if you object to the case being dismissed without prejudice. If so, please advise as to the status of the case and when you expect this matter will be resolved so that this case can be closed or the stay lifted.

Counsel for plaintiffs shall provide the status of the above-entitled case within 21 days, or otherwise show cause why this action should not be dismissed without prejudice. for lack of progress pursuant to Local Rule 41.

Dated: January 11, 2011

I hereby certify that a copy of the foregoing document was served upon counsel of record on January 11, 2011, by electronic and/or ordinary mail.

s/Marilyn Orem  
\_\_\_\_\_  
Case Manager